IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 4387 of 1996

Between:

K. Koteswara Rao, S/o Balakrishna Rao,
aged 46 yrs, working as Lecturer,

Sir C.R. Reddy College (Evening Course),

Eluru, W.G. Disrict.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its

Secretary, Education Department, Secretariat Buildings,
Hyderabad.

2 The Commissioner of Collegiate Education,
Andhra Pradesh, Hyderabad.

3 The Secretary, Sir C.R. Reddy College (Evening Course),
Eluru, W.G. District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or direction particularly in the nature of Mandamus or any other appropriate writ declaring that the petitioner is entitled for the regularization of service and also or other consequential benefits such as service and increments

w.e.f. 20-11-1981 apart from the benefits granted in G.O. Ms. No. 1711 Education Department dated
11-10-1994 on the file of the 1st respondent .

Counsel for the Petitioner: MR.V.R.AVULA
Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following :

ORDER

Heard both sides.

The petitioner herein who is working as Lecturer files this Writ Petition *inter alia* seeking a Writ of Mandamus for implementation of the orders issued by the 1st respondent in G.O.Rt.No.1711 Education (C.R. II-1) Department, dated 11-10-1994.

The case of the petitioner in short is that having regard to the long service he has put in, he is entitled for regularization of services and his admission into grant-in-aid w.e.f.
16-4-1990. The petitioner was initially appointed as full time lecturer. Since no proper regularization is being given effect to, he filed earlier a Writ Petition No.9842 of 1987 and the same was allowed by this Court as per the order dated 15-2-1994 directing the Government to consider his case for regularization and also admit him into grant-in-aid. Accordingly, the 1st respondent herein has issued the present G.O.Rt.No.1711, dated 11-10-1994 for regularization of services and also for admission of the petitioner to grant-in-aid. The complaint of the petitioner in short is that in spite of the said G.O. passed as long back as on 11-10-1994, the same is not being implemented for no fault of him and therefore, the petitioner is put to great loss and injury. Hence the Writ Petition.

No counter affidavit is filed on behalf of the respondents.

The learned Government Pleader though sought to submit that the impugned G.O. has no force, and no material is produced on their behalf to show either

the said proceedings have been cancelled or otherwise invoked to the detriment of the petitioner, be that as it may, the fact remains that the Government orders have been passed in terms of the direction given by this Court and no exception is forthcoming as to why the same is not being implemented nor the reason to show the petitioner is entitled to invoke such proceedings. Having issued such orders, there cannot be any reason also not to implement the same.

In the circumstances the Writ Petition is allowed. The respondents to implement the same and pass orders within a period of two months from today. No costs.

24-11-2004.

Hsd

That Rule Nisi has been made absolute as above.

Witness, the Hon'ble Sri Devinder Gupta, the Chief Justice, on this Wednesday, the Twenty Fourth day of Two Thousand and Four.

Asst.Registrar.

To

1. The Secretary, Government of Andhra Pradesh,, Education Department, Secretariat Buildings, Hyderabad.

2 The Commissioner of Collegiate Education, Andhra Pradesh, Hyderabad.

3 The Secretary, Sir C.R. Reddy College (Evening Course), Eluru, W.G. District.

4. 2 C.Cs to G.P. for Higher Education, High Court of A.P. High Court buildings, Hyderabad (OUT)

5. 2 C.D. copies.